

REMARKS/ARGUMENTS

Claims 1-4, 6-11 and 13-22 are pending herein. Claim 1 has been amended to include subject matter previously presented in claims 2 and 3. Claims 2 and 3 have been amended in light of the amendments to claim 1. New dependent claims 14-22 have been added to recite various combinations of sensors presently recited in claims 2 and 3. Applicants respectfully submit that no new matter has been added.

Examiner Nasser is thanked for courtesies extended to Applicants' undersigned representative during a telephone conversation on February 5, 2008 and his e-mail of February 6, 2008. In the e-mail, Examiner Nasser indicated that he would not enter the amendments submitted above after final and that an RCE would be required for entry and consideration of the amendments.

1. Claims 1, 6, 8 and 10 were rejected under §102(b), and claims 7 and 13 were rejected under §103(a) over Cowie. To the extent that these rejections may be applied against the amended claims, they are respectfully traversed.

Amended claim 1 recites a device for analyzing the physicochemical properties of a cutaneous surface. The device comprises, in relevant part, a handheld component, and an acquisition region located along a single side of the handheld mobile component, the acquisition region being sized to cover a cutaneous surface to be analyzed. The device further comprises at least three physicochemical sensors, each measuring a different physicochemical skin parameter, grouped and located within the handheld mobile component and directed toward the acquisition region, the sensors being a temperature sensor, a skin moisture sensor, and an ambient humidity sensor.

Examiner Nasser is respectfully requested to note that the inventors have determined that a skin moisture sensor, generally referred to as a transepidermal water loss sensor, can be made more accurate when the temperature and the ambient humidity acting on the cutaneous surface to be analyzed is simultaneously measured (specification, page 5, lines 15-25). The addition of physicochemical sensors measuring temperature and ambient humidity separate from the skin moisture sensor

also makes it possible to validate a diagnosis with respect to the atmospheric conditions (specification, page 5, lines 23-25).

Cowie discloses a device including a galvanometer, an applied force sensor and a moisture meter. Cowie discloses, in column 3, lines 6-9 that the galvanometer is used to measure temperature, and also discloses, in column 3, lines 16-19, that moisture of the skin tissue is measured between two conductive elements. Cowie does not disclose or suggest that an ambient humidity sensor can or should be added to the device disclosed therein.

For at least the foregoing reasons, Cowie fails to disclose or suggest a device for analyzing the physicochemical properties of a cutaneous surface comprising a temperature sensor, a skin moisture sensor, and an ambient humidity sensor, as recited in claim 1. Since claims 6-8, 10 and 13 depend directly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

2. Claims 1, 6 and 8 were rejected under §103(a) over Khazaka in view of Campbell. To the extent that this rejection may be applied against the amended claims, it is respectfully traversed.

Examiner Nasser correctly asserts that Khazaka discloses a device including a sebum sensor and a moisture sensor. For the alleged disclosure of a temperature sensor, the Examiner relies on Campbell. Applicants respectfully submit, however, that the combination of Khazaka and Campbell fail to disclose or suggest that a device can or should include a skin moisture sensor **and** an ambient humidity sensor together in one acquisition region.

For at least the foregoing reasons, the device for analyzing physicochemical properties of a cutaneous surface as recited in claim 1 would not have been obvious to one skilled in the art provided with the disclosures of Khazaka and Campbell. Specifically, Khazaka and Campbell would have failed to disclose or suggest a skin moisture sensor and an ambient humidity sensor located in an acquisition region, as recited in claim 1. Since claims 6 and 8 depend directly from claim 1, those claims are

also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

3. Claim 4 was rejected under §103(a) over Cowie in view of Haddock.

Applicants respectfully submit that the arguments submitted above distinguish claim 1 from Cowie. Since Haddock fails to overcome the deficiencies of Cowie, and since claim 4 depends directly from claim 1, claim 4 is also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

4. Claim 4 was rejected under §103(a) over Khazaka and Campbell in view of Haddock. Applicants respectfully submit that the arguments submitted above distinguish claim 1 from Khazaka and Campbell. Since Haddock fails to overcome the deficiencies of Khazaka and Campbell, and since claim 4 depends directly from claim 1, claim 4 is also believed to be allowable over the applied prior art.

5. Claims 9 and 11 were rejected under §103(a) over Khazaka and Campbell in view of Leveque. Applicants respectfully submit that the arguments submitted above distinguish claim 1 from Khazaka and Campbell. Since Leveque fails to overcome the deficiencies of Khazaka and Campbell, and since claims 9 and 11 depend either directly or indirectly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

For at least the foregoing reasons, Applicants respectfully submit that all of the pending claims herein define patentable subject matter over the art of record. Accordingly, the PTO is respectfully requested to issue a Notice of Allowance for this application in due course.

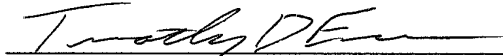
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

February 7, 2008

Date



Stephen P. Burr

Reg. No. 32,970

Timothy D. Evans

Reg. No. 50,797

SPB/TE/tlp

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320